19 4 8.

File No. Requisitioned Land (C. of P.) II/49 (N)

Legal Department

B **BRANCH**

Subject:— Notifications under the Acquisitioned Land (Continuance of Powers) Act, 1947.

1948
P.6.

File No. Requisitioned Land (C. of P.) II/49 (N).

233-B

1. **Legal Department.**

A revised draft notification is sent herewith.

Sd/ J.R. Dhurandhar.
1/3

Additional Secretary to Government.

U.R. to R.D.No. 2386, dated 1st March 1949.

VGP. 2-8-56.

NOTIFICATION.

Revenue Department.
Bombay Castle, 1949.

equisition Land
ontinuance of
owers) Act 1947.

No.3759/45.- In exercise of the powers of the Central Government under clause (b) of sub-section (1) of section 19 of the Defence of India Act, 1939 (XXXV of 1939), entrusted to the Provincial Governments by the Government of India, Defence Department Notification No.1365-GR/42 dated 19th September 1942, read with section 6 of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) the Government of Bombay is pleased to appoint the Civil Judge (Senior Division), Nasik, as arbitrator to determine the amount of compensation payable in respect of the property specified in the Schedule hereto appended and requisitioned by the Collector of Nasik under his order No. L.N.D.526-VI, dated the 18th June 1943 made under sub-rule (1) of rule 75-A of the Defence of India Rules specified in the said Schedule.

SCHEDULE.

Description of the property.

Coronation Hotel Building No.14,15,16,and 17 on Lam Road Deolali, Nasik District.

By order of the Governor of Bombay.

Secretary to Government.

VGP. 30-7-56.

Two revised forms are sent herewith.

2. Form No. I may be used when the lands are acquired by the Collector on behalf of the Cent Government in virtue of the powers delegated to him under Government of India, War Department, (Army Branch), No.2481-A dated the 28th Septemb 1946.

3. Form No.II may be used when lands are acquired by the Collector on behalf of the Provincial Government in virtues of the powers delegated to him under Government Notification Revenue Department, No.2198/45, dated the 23rd October 1946.

Sd/J.R.Dhurandhar.
23/2

Additional Secretary to Government

U.R. to R.D. No. 2210, dated the 23rd February 1949.

VGP. 30-7-56.

Form I

NOTICE.

No. .- Whereas the Collector of has in exercise of the powers conferred by sub-rule (1) of rule 75-A of the Defence of India Rules read with the Government of India, Defence Co-ordination Department No.1336/OR/1/42 dated the 25th April 1952. requisitioned the lnds specified in the Schedule appended under this Order No. dated

And whereas the said lands are requisitioned land within the meaning of section 2(4) of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947), and continue to be subject to requisition under section 3 of the said Act;

And whereas buildings and structures have during the period of requisition been constructed on, in or over the said land at the expense of the Central Government;

*strike out whichever is inapplicable.

* And Whereas the Central Government have decided that the value of or the right to use, such buildings and structures should be preserved or secured for the purposes of the Central Government;

or

* And Whereas the cost of restoring the land to its condition at the time of its requisition would in the opinion of the Central Government, be excessive having regard to the value of the land at the time and the owner declines to accpet the release from requisition of the land without payment of compensation from Government;

Now, therefore, in exercise of the powers conferred by section 5 of the said Act read with the Government of India, War Department (Army Branch) Notification No.2481-A dated the 28th September 1946 notice is hereby given that the Central Government have decided to acquire the said lands described in the Schedule annexed hereto in pursuance of the

said section and it is hereby declared that in pursuance of sub-section (2) of section 5 of the said Act the said lands shall on and from the beginning of the day on which this notice is published in the Official Gazette vest absolutely in the Centraal Govetnment free from all incumbrances and the period of requisition of such lands shall end.

SCHEDULE.

(Here specify the particulars of the lands and premises).

Dated 1949 Collector of

VGP. 30-7-56.

(To be used when lands or premises are to be acquired on behalf of the Provincial Government.)

Form II

NOTICE.

No. .- Whereas the Collector of has in exercise of the powers conferred by sub-rule (1) of Rule 75-A of the Defence of India Rules read with Government of Bombay, Home Department (Poll. War No. S.D.W.1741, dated the 29th May 1942, requisitioned the land and premises specified in the Schedule appended under his Order No. dated ;

And Whereas the said lands are requisitioned land within the meaning of section 2(4) of the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) and continue to be subject to requisition under section 3 of the said Act;

And Whereas buildings and structures have during the period of requisition been constructed on, in or over the said land at the expense of the Provincial Government;

*Strike out whichever is inapplicable.

*And Whereas the Provincial Government have decided that the value of, or the right to use, such buildings and structures should be preserved or secured for the purposes of the Provincial Government;

or

* And Whereas the cost of restoring the land to its condition at the time of its requisition would in the opinion of the Provincial Government, be excessive having regard to the value of the land at the time and the owner declines, to accept the release from requisition of the land without payment of compensation from Government;

Now, therefore, in exercise of the powers conferred by section 5 of the said Act, read for with the Government of Bombay, Revenue Department, Notification No. 2188/45, dated the 23rd October 1946, notice is hereby

given that the Provincial Government have decided to acquire the said lands described in the Schedule annexed hereto in pursuance of sub-section and it is hereby declared that in pursuance of sub-section (2) of section 5 of the said Act the said lands shall on and from the beginning of the day on which this notice is published in the Government Official Gazette vest absolutely in the Provincial Government free from all incumbrances and the period of requisition of such lands shall end.

SCHEDULE.

(Here specify the particulars of the land).

Dated 1949. Collector of

VOP. 2-8-56.

The Collector of Poona, has acquired the land on behalf of the Central Government by virtue of the powers delegated to him by the Government of India, War Department, Notification No. 2481-A, dated the 29th September 1946. But the Collector in his notice No. MIL/672, dated the 12th February 1947, has not referred specifically to the Government of India, War, Department, Notification No. 2481-A, dated the 28th September 1946, under which the powers of the Central Government have been delegated to him. In the second notice No. MIL/672-II dated the 30th August 1947, the Collector has referred to the Provincial Government Notification republishing the Central Government Notification instead of to the Central Government Notification itself. The Collector of Poona may therefore be requested to amend his first notice No. MIL/672 dated the 12th February 1947 by substituting for the words "Government Notification the words and figures "the Government of India, War Department (Army Branch) Notification No.2481-A dated the 28th September 1946." He should also be requested to amend his notice No.MIL/672-II, dated the 30th August 1947, by substitutinng for the words and figures "Government Notification No. 2198/45, dated 23rd October 1946" the words and figures "the Government of India, War Department (Army Branch) Notification No. 2481-A, dated the 28th September 1946."

The draft notification at page 9 ante, as amended is in order.

Sd/J.R. Dhurandhar.
14/3

Additional Secretary to Government.

U.R. to R.D. No. 2966, dated the 16th March 1949.